

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

09/762067

PCT

INTERNATIONAL APPLICATION NO.  
PCT/US99/17974

INTERNATIONAL FILING DATE  
6 August 1999

PRIORITY DATE CLAIMED  
7 August 1998

TITLE OF INVENTION

**COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS**

APPLICANT FOR DO/EO/US

**David GSCHNEIDNER; Andrea LEONE-BAY; Eric WANG; Lynn ERRIGO;  
Koc-Kan HO; Jeffrey Bruce PRESS; Nai Fang WANG; Pingwah TANG**

Applicant herewith submits to the United States Designated/Elected office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S. C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S. C. 371 (b) and PCT Articles 22 and 39 (1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S. C. 371 (c) (2) )
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S. C. 371 (c)2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c) (3)).
9. ☒ An (UNSIGNED) oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 (with 10 references).
12. ☐ An assignment document for recording. A **separate** cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney an/or address letter.
16. ☒ Other items or information: AFFIRMATION OF PRIORITY CLAIM

**EXPRESS MAIL CERTIFICATE**

Date 1/31/01 Label No. 62706719942US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

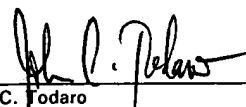
Name (Print)

Signature



07278

PATENT TRADEMARK OFFICE

U.S. APPLICATION NO. <b>09/76206</b> (if known) (37 CFR 1.50)		INTERNATIONAL APPLICATION NO. <b>US99/17974</b>		Attorney's Docket Number <b>1946/2D864US1</b>	
17. [x] The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492 (a)(1)-(5)):</b> Search Report has been prepared by the EPO [X] or JPO, [] <span style="float: right;"><b>\$860.00</b></span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... <span style="float: right;"><b>\$690.00</b></span>  No international preliminary examination fee paid to USPTO (37 CFR 4.482) but international search fee paid to USPTO (37 CFR 1.445 (a) (2))... <span style="float: right;"><b>\$710.00</b></span>  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... <span style="float: right;"><b>\$1,000.00</b></span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... <span style="float: right;"><b>\$100.00</b></span>				ALCULATIONS	PTO USE ONLY
				<b>\$ 690.00</b>	
				<b>\$ 690.00</b>	
				<b>\$ 690.00</b>	
				<b>\$ 690.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than 120 130 months from the earliest claimed priority date (37 CFR 1.492(e)). <span style="float: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</span>				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	17-20		X \$18.00		
Independent Claims	2-3	0	X \$80.00	\$	
Multiple dependent claims(s) (if applicable) + 270				\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$690.00</b>	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$ .00	
<b>SUBTOTAL =</b>				<b>\$</b>	
Processing fee of \$130.00 for furnishing the English translation later the [] 20 [] 39 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$690.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). the assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$690.00</b>	
				Amount to be refunded	\$
				charged:	\$
a. [X] A check in the amount of \$ <u>690.00</u> to cover the above fees is enclosed.  b. [] Please charge my Deposit Account No.04-0100 in the amount of \$ to cover the above fees.  c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO: Jay P. Lessler Darby & Darby P.C. 805 Third Avenue New York, New York 10022-7513					
				SIGNATURE  NAME John C. Todaro REGISTRATION NO. 36,036	

09/762067

526 Rec'd PCT/PTO 31 JAN 2001  
EXPRESS MAIL CERTIFICATE  
Date 1/31/01 Label No. 6470671994205

EXPRESS MAIL CERTIFICATE

Date \_\_\_\_\_ Label No. \_\_\_\_\_  
I hereby certify that, on the date indicated above, I  
deposited this paper or fee with the U.S. Postal Service  
and that it was addressed for delivery to the Commissioner  
of Patents & Trademarks, Washington, DC 20231 by "Express  
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fee was deposited with the U.S. Postal Service & that it was  
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Patents, Washington, DC 20231 by "Express Mail Post Office  
to Addressee" service.  
D Beck Name (Print) Signature

Name (Print) \_\_\_\_\_ Signature \_\_\_\_\_

File No.: 1946/1D864-US1

**DARBY & DARBY P.C.**

805 Third Avenue  
New York, NY 10022  
212-527-7700

Date: January 29, 2001

In Re Application of:

**David GSCHNEIDNER, et al.**

Serial No: To be assigned  
(U.S. National Phase of  
International Application No. PCT/US99/4974 17947  
Filed: 06 August 1999

Filed: Concurrently herewith

For: **COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE  
AGENTS**

**AFFIRMATION OF PRIORITY CLAIM**

Hon. Commissioner of  
Patents and Trademarks  
Box PCT  
Washington, DC 20231  
Attn: DO/EO/US

Sir:

Hon. Commissioner of  
Patents and Trademarks  
January 26, 2001  
Page 2

Priority has been claimed on the basis of U.S. Provisional Application Nos:  
60/095,778 filed 07 August 1998, 60/098,500 filed 31 August 1998, 60/108,366  
filed 13 November 1998, and 60/119,207 filed 05 February 1999.

A Certified copy of each of the aforesaid U.S. Provisional Patent  
Applications was received by the International Bureau on 24 September 1999, during  
the pendency of International Application No. PCT/US99/17974.

Applicants herewith affirm the priority claim of the aforesaid U.S.  
Provisional patent applications under U.S.C. §119.

Respectfully submitted,



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John C. Todaro  
Reg. No. 36,036  
Attorney for Applicants

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